

Column 5, graphite as an electrode in a lithium cell. The claims are said to read upon graphite because the intended use does not actually limit the product. However, the Examiner does not recognize that the surface of the graphite core of Liu et al is coated with a carbon precursor resin, which is subjected to heat treatment and forms non-graphitizable carbon material. In other words, the Liu graphite material has two layers, both a layer consisting of graphite and a layer, which is non-graphitizable carbon. We have amended Claim 1 to indicate a single layer of surface active material not carbonized by heat and consisting essentially, etc.

We have also made some amendments to Claims 9-14 to meet some of the other objections of the Examiner. For example, the Examiner in the rejection, based upon Liu et al, has indicated that Claims 9-13 do not actually require the presence of the indicated material. We have reworded Claims 9-13 to make it clear that the presence of the various materials in the coating of the graphite are required.

The Claims 1-3 and 7-14 have been rejected under 35 U.S.C., §102(e) over the abstract of Japanese Patent 09147916. This rejection is respectfully traversed. The Examiner states that this abstract teaches lithium in cellulose-coated graphite. The same criticism regarding Claims 9-13 is leveled by the Examiner against the claims based upon the abstract of Japanese Patent 09147916. A carbon copy of this rejection is also applied to

Claims 1,2 and 7-14 based upon the abstract of Japanese Patent 9249407. Claims 9-13 are said by the Examiner to not actually require the presence of the indicated material. It is believed that the present amendments to the claims make it clear that the material, which is coated on the graphite, is required according to Claims 9-13, which have been amended herein.

With respect to Claims 1,2 and 3, Claim 1 has been amended to recite limitations, which avoid the Liu et al reference and thereby also the secondary references, the Japanese Patent abstract. It is respectfully submitted that the Examiner is incorrect in asserting only the material is capable of absorbing the polymers. The claims as now written actually require the polymers to be present. As amended, the claims also exclude the heat treatment of carbon materials. The language "consisting essentially of" is interpreted to exclude other materials such as solid particles or inorganic chalcogenide particles.

It is earnestly believed that the amendments proposed in this response either place the application in better form for appeal or patentably distinguish over the art cited by the Examiner and therefore render the claims allowable. Entry of the amendment on those grounds is respectfully solicited. In view of the foregoing argument and amendments, favorable action and allowance of the present application is respectfully urged.

Should the Examiner wish to contact Applicants' representative, he may do so by telephoning Edward H. Valance,

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Reg. No. 19,896, at (703) 205-8000 in the Washington Metropolitan area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version with Markings to Show Changes Made

VERSION WITH MARKING TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

1. (Twice Amended) In a graphite material for the negative electrode of a lithium ion secondary cell which material is capable of occluding or releasing lithium ions, the improvement wherein said graphite material absorbs or is coated with a single layer of surface active material not carbonized by heat and consisting essentially of at least one member selected from the group consisting of starch derivatives having a basic repeating unit structure of $C_6H_{10}O_5$; viscous polysaccharides having a basic repeating unit structure of $C_6H_{10}O_5$; water-soluble cellulose derivatives having a basic repeating unit structure $C_6H_{10}O_5$, and water-soluble synthetic resins.

9. (Amended) The graphite material for the negative electrode according to claim 1, wherein [said] said graphite material is coated with a starch derivative[s] [are] selected from the group consisting of acetic starch, phosphoric starch, carboxymethyl starch and hydroxy alkyl starch.

10. (Amended) The graphite material for the negative electrode according to claim 1, wherein said graphite material is

coated with viscous polysaccharides [are] selected from the group consisting of pullulan and dextrine.

11. (Amended) The graphite material for the negative electrode according to claim 1, wherein said graphite material is coated with water-soluble cellulose derivatives [are] selected from the group consisting of carboxymethyl cellulose, methyl cellulose, hydroxyethyl cellulose, and hydroxypropyl cellulose.

12. (Amended) The graphite material for the negative electrode according to claim 1, wherein said graphite material is coated with water-soluble synthetic resins [are] selected from the group comprising of water-soluble acrylic resin, water-soluble epoxy resin, water-soluble polyester resin, and water-soluble polyamide resin.

13. (Amended) The graphite material for the negative electrode according to claim 1, wherein said graphite material absorbs or is coated with an aqueous solution of the surface active material defined in claim 1.

14. (Amended) The graphite material for the negative electrode according to claim 13, wherein said aqueous solution

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contains either ion-exchanged water, or hot-spring water, underground water, well water or city water, [any] at least one of which contains lithium, calcium, magnesium, sodium or potassium.